

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED  
5 APR 26 PM 3:33  
ROBERT B. DELOACH  
CLERK, U.S. DISTRICT COURT  
W.D. OF TN, MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff

VS.

CR. NO. 04-20448-B

NIOMI JENNIFER JAMES, LAVITA M. HARVEY,  
DAMIEN PAYNE, DANIEL CURRY,

Defendants.

ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY  
AND SETTING

This cause came on for a report date on April 25, 2005. At that time, counsel for the defendant requested a continuance of the May 2, 2005 trial date in order to allow for additional preparation in the case.

The Court granted the request and reset the trial date to June 6, 2005 with a report date of Tuesday, May 31, 2005, at 9:30 a.m., in Courtroom 1, 11th Floor of the Federal Building, Memphis, TN.

The period from May 13, 2005 through June 17, 2005 is excludable under 18 U.S.C. § 3161(h)(8)(B)(iv) because the ends of justice served in allowing for additional time to prepare outweigh the need for a speedy trial.

IT IS SO ORDERED this 26<sup>th</sup> day of April, 2005.

  
J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE

(88)



## Notice of Distribution

This notice confirms a copy of the document docketed as number 88 in case 2:04-CR-20448 was distributed by fax, mail, or direct printing on May 4, 2005 to the parties listed.

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Tony R. Arvin  
U.S. ATTORNEY'S OFFICE  
167 N. Main St.  
Ste. 800  
Memphis, TN 38103

Dewun R. Settle  
LAW OFFICE OF DEWUN SETTLE  
100 N. Main Building  
Ste. 3001  
Memphis, TN 38103

Michael Edwin Scholl  
THE SCHOLL LAW FIRM  
8 S. Third St.  
Fourth Floor  
Memphis, TN 38103--238

Lee Howard Gerald  
LAW OFFICE OF LEE GERALD  
8 S. Third St.  
Fourth Floor  
Memphis, TN 38103

Steffen G. Schreiner  
LAW OFFICE OF STEFFEN G. SCHREINER  
369 N. Main  
Memphis, TN 38103

Mary Catherine Jermann  
FEDERAL PUBLIC DEFENDER  
200 Jefferson Ave.  
Ste. 200  
Memphis, TN 38103

Honorable J. Breen  
US DISTRICT COURT